

b.) Remarks

Claims 1, 20 and 41 have been amended in order to recite the present invention with the specificity required by statute. Claims 3-7, 10-19, 21-25, 28-38, 42, 46 and 48 have, accordingly, been cancelled as superfluous and claims 8, 9, 22, 26 and 27 have been amended to maintain their dependency. Additionally, new claims 51 and 52 are presented in order to more specifically recite various preferred embodiments of the present invention. Accordingly, no new matter has been added.

Claim 38 is rejected under 35 U.S.C. §102(b) as anticipated by Shimada WO 99/12546. In response, solely in order to reduce the issues, claim 38 has been cancelled.

Claims 1, 3, 8 and 9 are rejected under 35 U.S.C. §103(a) as being obvious over Greenlee (WO 03/022283) in view of Shimada. In support of the rejection, the Examiner states Greenlee shows a composition for treating depression comprising an adenosine A_{2A} receptor antagonist and an antidepressant drug, wherein the antidepressant may be a serotonin reuptake inhibitor such as fluoxetine (page 20, lines 21-23). According to the Examiner, absent evidence to the contrary there is nothing unobvious about using fluoxetine salt, and it would also have been obvious to substitute Shimada's adenosine A_{2A} receptor antagonist for the compounds of Greenlee.

In response to this, claim 1 has been amended to limit the anti antidepressant drug to a selective serotonin reuptake inhibitor. In this regard, Applicants' specification discloses that administering their Compound (I) in combination with a selective serotonin reuptake inhibitor is unexpectedly significantly more effective for

treating depression, in comparison with administering either Compound (I) or a selective serotonin reuptake inhibitor alone.

To reduce the issues and complete the record, such evidence is presented by way of the executed Declaration under Rule 132 of Dr. Tomoyuki Kanda, attached at Tab 1. In his Declaration, Dr. Kanda shows the present invention achieves synergistic effects based on an improved rate of change (%) of the duration of immobility by administering Compound (I) in combination with a selective serotonin reuptake inhibitor as compared to the expected rate of change (%) of the duration of immobility evidenced by administration of a serotonin reuptake inhibitor alone plus Compound (I) alone.

These unexpected advantages are of clear utility to those of ordinary skill in the art and are neither disclosed nor suggested by the prior art, whether taken singly or in combination.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 1, 8, 9, 20, 22, 23, 26, 27, 41, 51 and 52 remain presented for continued prosecution with rejoinder of combination claims 20, 26 and 27, and method claims 41 and 51-52 being respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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Tab 1